

## NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

**RULE REPEAL AND PROMULGATION:** DMR Regulation 95.04 H, Closed Area No.37, South Brooksville, promulgated on November 7,1991, is repealed and replaced with the following rule:

**TEXT OF RULE:** DMR Regulation 95.04H, Closed Area No. 37 Condon Point, Brooksville to "The Herricks" Village, Brooksville.

1. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters and mussels from all shores, flats and waters northerly of a line starting at the most southerly tip of Condons Point and extending easterly along the northern shores of Eggemoggin Reach; terminating at a red-painted post 300' east of the, so called, "Oakland House" wharf in the village of "The Herricks", Brooksville.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. 6204).

EFFECTIVE DATE: September 10, 1996

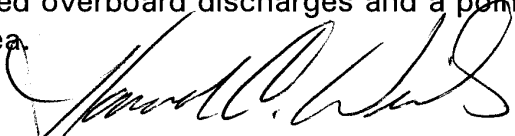
AGENCY CONTACT PERSON: Paul Anderson,  
Department of Marine Resources  
McKown Point  
Boothbay Harbor, Maine 04575

BANGOR DAILY NEWS  
September 13,1996

### STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals this emergency DMR Regulation 95.04H, Closed Area No. 37, Eggemoggin Reach, Brooksville, promulgated November 7,1991 and replaces it with a new regulation that opens Weir Cove, Horseshoe Cove and Orcutt Harbor. The other sections, Buck Harbor, Grays Point, Norrumbega, Deadmans Cove and Deep Cove, and Oakland House shoreline must remained closed.

Department personnel have sampled and surveyed the closed area and have determined that there are licensed overboard discharges and a point source pollution threat to public health in the area.

  
HAROLD C. WINTERS, ADMINISTRATIVE OFFICER  
FOR ROBIN ALDEN, COMMISSIONER  
AS AUTHORIZED BY 12 MRSA SECTION 6023

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# Department of Marine Resources

## Legal Notice of Shellfish Closure Area EB

### Closure C37

September 1996

